

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AND MEETING
July 12, 2016

A public hearing of the Zoning Board of Adjustment was held on Tuesday, July 12, 2016 at 6:30 PM in Room 208, City Hall.

Members in attendance were:

Gerry Reppucci, Chair
Jack Currier, Vice Chair
J.P. Boucher, Clerk
Rob Shaw
Kathy Vitale

Carter Falk, AICP, Deputy Planning Manager/Zoning

Mr. Reppucci explained the Board's procedures, including the points of law required for applicants to address relative to variances and special exceptions. Mr. Reppucci explained how testimony will be given by applicants, those speaking in favor or in opposition to each request, as stated in the Zoning Board of Adjustment (ZBA) By-laws. Mr. Reppucci also explained procedures involving the timing light.

- 1. 40 Lock Street Realty, LLC (Owner) Rob Crowley (Applicant) 35 Lock Street (Sheet 43 Lot 53) requesting variance for minimum lot area, 3,842 sq.ft existing, 6,969 sq.ft required, to convert a single-family into a two-family. RC Zone, Ward 3.**

Voting on this case:

Gerry Reppucci
Kathy Vitale
J.P. Boucher
Jack Currier
Rob Shaw

Rob Crowley, 3 Hibiscus Way, Nashua, NH. Mr. Crowley said that he's applying for a variance for lot area. He said that it's his understanding that the property used to be a legal two-family, and there was a variance years back, about 10-12 years ago, to turn it into a single-family, it needs work and has been vacant for a while, the grass is overgrown and the maintenance is deferred.

Mr. Crowley said that the whole neighborhood, or most of the neighborhood, is multi-family units, there are very few single-

family homes. He said that the value of having it remain a single-family home is very little. He said it's his intention to turn it back to a two-family, renovate the property inside and outside. He said that there will be no changes to the outside, it's all inside. He said that the shape and size of the building will stay the same.

Mr. Crowley said that the property has a two-car garage, with spaces in front of it, so four cars can park there. He said that the place will get a complete overhaul, and it's going to be very nice, and said it's really already set up as a two-family. He said it will be much more valuable to the neighborhood as a two-family, and the maximum value will be as a two-family.

Mr. Currier asked if the garage will be used by the people living there.

Mr. Crowley said it's his intention that the garage will be used.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

MOTION by Mr. Currier to approve the variance application as advertised on behalf of the owner as advertised. Mr. Currier said that the variance is needed to enable the applicant's proposed use of the property, the property was a pre-existing two-family, and is essentially a multi-family neighborhood, and given the special conditions of the property, and the benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance.

Mr. Currier said that the proposed use would be within the spirit and intent of the ordinance, it is reasonable to convert it back to a two-family.

Mr. Currier said that it will have no negative impact on surrounding properties, it should increase the values in the neighborhood as it will be brought up to Code, and fixed up. He said it is not contrary to the public interest, and substantial justice is served to the owner.

SECONDED by Mr. Shaw.

MOTION CARRIED UNANIMOUSLY 5-0.

MISCELLANEOUS:

REGIONAL IMPACT:

The Board determined that there are no cases that have Regional Impact.

REHEARING REQUESTS:

None.

MINUTES:

None.

ADJOURNMENT:

Mr. Reppucci called the meeting closed at 6:45 p.m.

Submitted by: Mr. Boucher, Clerk.

CF - Taped Hearing